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7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 United States of America,

11 Respondent/Plaintiff,

12 v.

13 Tamas Horvath,

14 Petitioner/Defendant.
15

Case No. 2:13-cr-00099-JAD-PAL-1

**ORDER GRANTING Unopposed
Motion to Seal Exhibit H - Medical
Records (ECF Nos. 98, 105)**

16 **Certification:** This motion is timely filed per the Court's Order. ECF No.
17 104.

18 Defendant Tamas Horvath respectfully requests leave to file his mother's
19 medical records under seal. LR IA 10-5. Undersigned counsel mistakenly failed
20 to submit this request with the Motion for Compassionate release filing. ECF
21 No. 97. Per this Court's order, ECF No. 104, counsel now respectfully moves this
22 Court to seal Exhibit H to Mr. Horvath's Motion for Compassionate Release, ECF
23 No. 97.

24 There is good cause to seal this document to protect Mr. Horvath's
25 mother's medical records from being disclosed to the public. *Pintos v. Pac.*
26 *Creditors Ass'n*, 605 F.3d 665, 678 (9th Cir. 2010) ("In light of the weaker public

1 interest in nondispositive materials, we apply the ‘good cause’ standard when
2 parties wish to keep them under seal.”). Specifically, the contents of the
3 document include his mother’s birthdate, the address Mr. Horvath and his
4 mother will share upon his release, and his mother’s medical history. *See*
5 *Johnsen v. Tambe*, No. 19-141-TSZ-MLP, 2019 WL 4014256, at *2 (W.D. Wash.
6 Aug. 26, 2019) (“This district maintains medical records under seal as a matter of
7 course in social security cases ‘due to the prevalence of sensitive information,’
8 although the parties’ briefs discussing the medical evidence are not sealed from
9 public view.”); *Karpenski v. Am. Gen. Life Companies, LLC*, No. 2:12-CV-
10 01569RSM, 2013 WL 5588312, at *2 (W.D. Wash. Oct. 9, 2013) (“[T]he Court
11 finds that some but not all of the documents contain protected medical
12 information that entitle them to the Court’s protection.”).

13 Because Exhibit H contains sensitive, personal, identifying information,
14 Mr. Horvath and his mother’s privacy interest in the information outweighs the
15 public’s interest in the document’s disclosure.¹

25 ¹ Undersigned counsel’s office staff sent opposing counsel, Adam Flake, a
26 copy of sealed Exhibit H via email on the date he entered his appearance, May
20, 2022. *See* Certificate of Service indicating the sealed document was served on
the opposing attorney. LR IA 10-5.

Respectfully submitted,
RENE L. VALLADARES
Federal Public Defender

ORDER

U.S. District Judge Jennifer A. Dorsey
Dated: October 5, 2022